

REMARKS

Applicant respectfully requests reconsideration and allowance of this application.

5 **Allowable Subject Matter**

The Office indicated that claims 1-14 and 18-45 would be allowed upon Applicants response to the requirement for information under 37 CFR 1.105, with which the Office intends to finalize the allowability of the claimed subject matter.

10 **Requirement for Information, 37 CFR 1.105**

The Office stated in the instant Action that “Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application (see IDS file 04/05/2006 the first NPL
15 04/05/2006).”

In response to this requirement, and per the Office’s instruction, Applicant responds as follows (set forth in-line with Office’s stipulations and requests in standard text and Applicant’s response in italics):

20 **Stipulation 1:** More than one year before the present application was filed, at least some of the features of the claimed invention in the present application were disclosed in a beta release of one or more computer software products.

Applicant’s Response: Yes.

In further response to this requirement, if Applicant agrees with Stipulation
25 1, above, please provide answers to each of the following interrogatories eliciting factual information:

1. Identify specifically which features of the claimed invention were disclosed in the beta release or releases.

- *Applicant's Response: All of the claimed features of the independent claims were disclosed in the Office 11 beta release beginning October 25, 2002.*

2. State specifically the dates of the beta release, including dates of each beta release, if more than one software program was released.

- *Applicant's Response: Distribution under Non-Disclosure Agreement for the Office 11 Beta 1 test began October 25, 2002 and ended January 8, 2003. A Beta 2 version of Office 11 began shipping on January 8, 2003.*

3. Identify any disclosures of any features of the claimed invention to anyone outside the assignee, Microsoft, prior to the starting date of the beta test or tests. For any such disclosure, state specifically the identity of the party or parties to whom the disclosure was made, and the date and circumstances under which the disclosure was made.

- *Applicant's Response: As part of the planning cycle for the beta release, on October 9-11, 2002, Microsoft disclosed some of the plans and features of the claimed invention, but no specifications, to selected customers under Non-Disclosure Agreement. The selected customers were all part of a Desktop Advisory Council which at the time included:*

Company

3M

Aetna

Agencia Tributaria

Bloomberg

BNP Paribas

ChevronTexaco

CIBC

Citigroup

DaimlerChrysler AG

DirectTV

DirectTV

Name

Caroline Hermes

Bill Davis

Carlos Marcos Martin

Bruce Taub

Paul Ashman

Jerry Ham

Gillian Carson

Graham Hill

Karlheinz Blank

Theresa Dawnsey

Duane Hashiro

DirectTV
Ernst and Young
Ford Motor Company
Ford Motor Company
Gentiva Health Services
HP
Intel
Merck
Microsoft OTG
Novartis
Roche
SAFECO
SAS
Siemens AG
Tennessee Valley Authority
WaMu

Belle Lingman
Mark Natelson
Kirk Windisch
Mike Powaser
Kevin Ireland
Kris Sparks
John Kung
Alan Lowenstein
Matt Seybold
John Suchorsky
Lesley Andrews
Will Moss
Lars-Chresten Ekebjerg
John Minnick
Thomas Randy McLeod
Jeff Barnes

○ *Applicant's Response, continued: The agenda, presentations, and distributed materials of the Desktop Advisory Council meeting occurring October 9-11, 2002 are currently unknown.*

5 ○ *Applicant's Response, continued: Also, prior to the beta, Microsoft, under Non-Disclosure Agreement, had a company named "Interact" assemble the Office 11 beta kits that were distributed as part of the beta release in October 2002. Interact did not copy or create any of the materials but only assembled packages for distribution from*
10 *given materials.*

4. Identify specifically all computer software products in which the claimed invention is incorporated, identifying specifically each claimed feature that is incorporated into the product(s), and stating specifically the version of the product(s), and when each product was first made public, offered for sale, or made available as a beta release.

15 ○ *Applicant's Response: All of the claimed features of the independent claims were disclosed in the Office 11 beta release beginning October 25, 2002. All of the claimed features of the independent*

claims are included in the Microsoft Office Professional 2003, Microsoft Office Professional + 2003, Microsoft Office Enterprise 2003, and Microsoft InfoPath 2003, all released October, 2003; and in Microsoft Office Professional 2007, Microsoft Office Professional + 2007, Microsoft Office Enterprise 2007, and Microsoft InfoPath 2007, all released to volume customers on November 30, 2006 and retail customers on January 30, 2007.

The Office also requested, in further response to this requirement, copies of each publication that was published more than one year before the filing date of the present application, which any of the applicants authored or co-authored and which describe the disclosed subject matter of the beta version(s) of Microsoft Office, which occurred in October 2002.

- *Applicant's Response: To the best of our knowledge, there were no public publications published more than one year before the filing date of the present application, which any of the applicants authored or co-authored and which described the disclosed subject matter of the beta version(s) of Microsoft Office, which occurred in October 2002. If any documents were released either publicly or under non-disclosure agreement, the contents and location of those publications is not known.*

Conclusion

All of the claims are in condition for allowance. Accordingly, Applicant requests that the Office issue a Notice of Allowability. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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Dated: 5 May 2008

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